

# KING & SPALDING

The clerk is directed to restrict ECF No. 253 to the attorneys for the parties and Chambers personnel only.

SO ORDERED.

Dated: 12/19/23

December 15, 2023

/s/ Alvin K. Hellerstein

Alvin K. Hellerstein

United States District Judge

King & Spalding LLP  
1185 Avenue of the Americas, 35th Floor  
New York, NY 10036-4003  
Tel: +1 212 556 2100  
Fax: +1 212 556 2222  
www.kslaw.com

Randy M. Mastro  
Direct Dial: +1 212 827 4019  
rmastro@kslaw.com

## Via ECF

Hon. Alvin K. Hellerstein  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *The Avon Company f/k/a New Avon LLC, et al. v. Fareva Morton Grove, Inc., et al.*,  
No. 1:22-cv-04724-AKH

Dear Judge Hellerstein:

I write as counsel to Fareva Morton Grove, Inc. and Fareva S.A. (collectively, “Fareva”) in the above-captioned action to respectfully request that the Court enter an order maintaining under seal the documents listed below, which Fareva is submitting as exhibits in support of Fareva’s Letter Submission on Further Discovery Required (“Submission”). Copies of these documents and Fareva’s Submission are being filed contemporaneously under seal pursuant to the Court’s standing order, 19-mc-00583, and Your Honor’s Individual Rule 4(B). In support of this letter motion, Fareva states as follows:

On October 7, 2022, the Court entered a Stipulated Confidentiality Agreement and Protective Order (the “Protective Order”). *See* ECF No. 65. The Protective Order permits either party to designate Discovery Material as “Confidential” or “Attorneys’ Eyes Only.” *See id.* ¶¶ 2, 12. In support of its Submission, Fareva is submitting as exhibits copies of the following documents, which Avon produced in this action with the designation of “Confidential” pursuant to the Protective Order (collectively, the “Avon Confidential Documents”):

1. An e-mail chain bearing bates numbers AVON0005560–AVON0005563 (Ex. 1).
2. An e-mail chain bearing bates numbers AVON0069401–AVON0069434 (Ex. 4).
3. An e-mail chain bearing bates numbers AVON0069435–AVON0069466 (Ex. 5).
4. An e-mail chain bearing bates numbers AVON0006851–AVON0006855 (Ex. 6).
5. An e-mail chain bearing bates numbers AVON0054591–AVON0054593 (Ex. 8).

6. An e-mail chain bearing bates numbers AVON0053977–AVON0053979 (Ex. 9).
7. An e-mail chain bearing bates number AVON0020249 (Ex. 10).
8. An e-mail chain bearing bates numbers AVON0010905–AVON0010909 (Ex. 11).
9. An e-mail chain bearing bates numbers AVON0081698–AVON0081699 (Ex. 12).
10. An e-mail chain bearing bates numbers AVON0081661–AVON0081662 (Ex. 13).
11. An e-mail chain bearing bates numbers AVON0007104–AVON0007106 (Ex. 14).
12. An e-mail chain bearing bates numbers AVON0061921–AVON0061922 (Ex. 15).
13. An e-mail chain bearing bates numbers AVON0053152–AVON0053153 (Ex. 16).
14. An e-mail chain bearing bates numbers AVON0000986–AVON0000991 (Ex. 17).
15. An e-mail chain bearing bates numbers AVON0083594–AVON0083597 (Ex. 18).
16. An e-mail chain bearing bates numbers AVON0074540–AVON0074567 (Ex. 19).

By making this sealing request with respect to the Avon Confidential Documents, Fareva does not contend that good cause exists to designate any of the foregoing materials as Confidential within the meaning of the Protective Order, or to maintain these documents under seal on the public docket. Fareva merely seeks to comply with its obligations under the Protective Order with respect to documents Avon has designated as Confidential and to afford Avon the opportunity to seek to maintain these documents under seal. Accordingly, Fareva respectfully requests that the Court initially maintain such documents under seal, subject to the Court's review of Avon's position on whether these documents should be maintained under seal. In addition to submitting the Avon Confidential Documents as exhibits in support of its Submission, Fareva also describes information derived from the Avon Confidential Documents in the Submission. Fareva has redacted portions of its Submission accordingly and, for the same reasons, also respectfully requests that the Court initially maintain under seal the redacted portions of Fareva's Submission. As needed, Fareva is prepared to re-file the Avon Confidential Documents or its Submission, or portions thereof, publicly.

As always, we thank the Court for its consideration.

Respectfully submitted,

/s/ Randy M. Mastro

Randy M. Mastro

cc: All counsel of record (via ECF)